

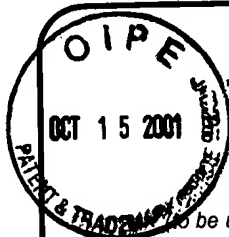
Gp/1642

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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TRANSMITTAL FORM

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Application Number	09/306,662
Filing Date	May 5, 1999
First Named Inventor	Malmros et al.
Group Art Unit	1642
Examiner Name	S. Rawlings
Attorney Docket Number	D6080-00001

Total Number of Pages in This Submission

9

ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☒ Amendment / Reply (2nd Preliminary)
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):

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Remarks

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Duane, Morris & Heckscher LLP

Signature

Gail Dalickas

Date

October 11, 2001

CERTIFICATE OF MAILING

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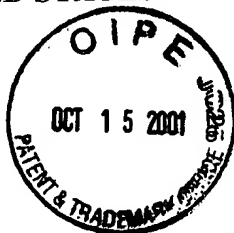
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Malmros et al.

Serial No.: 09/306,662

Filed: May 5, 1999



Attorney Docket No. D6080-00001

Group Art Unit: 1642

Examiner: S. Rawlings

For: **METHOD OF IN SITU DIAGNOSIS BY SPECTROSCOPIC ANALYSIS OF BIOLOGICAL STAIN COMPOSITIONS**

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Certification Under 37 CFR 1.8

I hereby certify that this paper or fee (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail under 37 CFR 1.8 on the date indicated below and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

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SECOND PRELIMINARY AMENDMENT UNDER 37 C.F.R. §1.115

Sir:

Prior to examination of the present Continued Prosecution Application, entry of the following Amendment is requested.

In the claims

1. (Twice amended) A method for diagnosing a disease state in situ in biological tissue or cells of a living organism comprising:
 - a) applying to the tissue or cells a thiazine dye;
 - b) ~~removing~~ removing excess dye from the tissue or cells;